

IN RE: PETITION FOR ZONING VARIANCE *
SM/S Pine Grove Avenue, 286' &
365' NW of Philadelphia Road *
14th Election District *
7th Councilmanic District *
James W. Musser, et al *
Petitioners *

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 88-390-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a window to tract boundary setback of 15 feet in lieu of the required 35 feet for Lots 2 and 7, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, by Albert C. Jones, appeared and testified. Thomas Parr with William R. Sudeck & Associates, Inc., Consulting Engineers and Land Surveyors, appeared on behalf of the Petition. Dominic and Theresa M. Grimaldi appeared and testified as Protestants and were represented by Counsel.

Testimony indicated that the subject property, zoned D.R. 5.5, is located off of Philadelphia Road in the Roswell Ridge subdivision. Mr. Jones testified that a variance for Lot #2 is being requested as a potential buyer of the property wanted to construct a one-story ranch-type dwelling with a layout which would require the requested variance. The variance for Lot #7 is being requested as a ranch-type dwelling for this lot would be preferable and would allow the builder to save additional trees.

Mr. Parr testified that, in his opinion, in addition to the reasons given by Mr. Jones, the variances requested would permit a layout of homes which would be more in conformance with existing homes in the development.

Dominic Grimaldi testified that he and his sister, Theresa, own the adjoining lot at the side of Lot #2 and in front of Lot #7. He testified that when the Petitioners presented their plans to C.R.G. in April 1987 it was represented that the subject lots would be 35 feet from his property lines; that

based upon representations made by the Petitioners, he and his sister, as adjoining property owners, had worked with the Petitioners to work out problems they had. The Protestants indicated they did not oppose the C.R.G. plan because they understood it to be complete. On examination by the Protestants' attorney, Mr. Parr admitted that when they presented their plan to C.R.G., they intended to request variances for Lots #2 and #7 but felt to disclose the need at that time may hold up C.R.G. approval. The Protestants testified that they are opposed to the requested variances as they plan to remove the existing dwelling on their lot and reconstruct a new dwelling. They are desirous of maintaining the setback requirements as imposed by the zoning regulations and feel that the lots owned by the Petitioners permit compliance. The Protestants argued that the Petitioners had not shown practical difficulty and or undue hardship.

The Petitioners seek relief from Section 1891.2.C2 pursuant to Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.).

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the petitioner and his property. *McLean v. Solay*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render compliance unduly burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake (1971), 70 Md. App. 104 (1974).

In the opinion of the Deputy Zoning Commissioner, there is no evidence to allow a finding that the Petitioners would experience practical difficulty or unreasonable hardship if the requested variance for Lots 2 and 7 were denied.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 22nd day of March, 1988, that the Petition for Zoning Variance to permit a window to tract boundary setback of 15 feet in lieu of the required 35 feet for Lots 2 and 7, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.

Robert H. Harris
Deputy Zoning Commissioner
Baltimore County

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1891.2.C.2.a to permit a window to tract boundary setback of 15 feet in lieu of the required 35 feet for lots 2 and 7.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

SEE ATTACHMENT

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I, We do solemnly declare and affirm, under the penalties of perjury, that I, we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:	Legal Owner(s):
(Type or Print Name)	(Type or Print Name)
Signature	Signature
Address	Address
City and State	City and State
Attorney for Petitioner:	
(Type or Print Name)	Address
Signature	City and State
Address	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
City and State	Name
Attorney's Telephone No.	Address

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day of March, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 31st day of March, 1988, at 9:00 o'clock A.M.

Reset 2/2/88 for 3/14/88 at 11am.
R.H.H.

Zoning Commissioner of Baltimore County
(over)

December 22, 1987

DESCRIPTION OF LOTS 2&7

Lot 2 - Being know as lot 2 of the Roswell Ridge subdivision and recorded in plat book-57, folio-115 and running the following four courses:

1. South 41 degrees, 38', 4" East-80.00' (Point of beginning)
2. South 48 degrees, 3', 42" West-140.00'
3. North 41 degrees, 56', 18" East-80.00'
4. North 48 degrees, 3', 42" East-140.42' (Back to point of beginning)

Lot 7 - Being know as lot 7 of the Roswell Ridge subdivision and recorded in plat book-57, folio-115, hence running the following courses:

1. South 41 degrees, 38', 4" East-10.00' (Point of beginning)
2. South 48 Degrees, 3', 42" West-140.42'
3. South 41 degrees, 56', 18" East-80.00'
4. North 48 degrees, 3', 42" West-7.05'
5. South 33 degrees, 11', 12" East-67.47'
6. South 52 degrees, 46', 55" West-50.32'
7. South 49 degrees, 36', 44" West-100.00'
8. North 32 degrees, 37', 43" West-70.95'
9. North 48 degrees, 3', 42" East-121.84'
10. North 41 degrees, 56', 18" West-79.82'
11. North 48 degrees, 3', 42" East-160.48' (Back to point of beginning)

TOTAL LOT CONTAINING - 0.3182 Acres (+ or -)

March 23, 1988

Mr. James Musser
Mr. Albert C. Jones
Charm City Homes
800 Main Street
Ellicott City, Maryland 21043

RE: Petition for Zoning Variance
SM/S Pine Grove Avenue, 286' and 365' NW of Philadelphia Road
14th Election District; 7th Councilmanic District
James Musser, et al - Petitioners
Case No. 88-390-A

Dear Messrs. Musser & Jones:

Enclosed please find the decision rendered on the above-referenced case. The Petition for Zoning Variance has been Denied in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal to the County Board of Appeals. For further information on filing an appeal, please contact this office.

Very truly yours,

ANN M. HASTARONICZ
Deputy Zoning Commissioner
of Baltimore County

Attachments
Enclosures

cc: F. Vernon Booser, Esquire, Attorney for Protestants
614 Bosley Avenue, Towson, Md. 21204

People's Counsel

File

1. Present tract boundary setback, for Lot 2 required by variance to 15 feet in lieu of the required 35 feet, with separate building to extend portion and being in excess of 11 feet, 6 inches.
2. Present tract boundary setback, for Lot 7 required by variance to 15 feet in lieu of the required 35 feet, with separate building to extend portion and being in excess of 11 feet, 6 inches.

3. Present tract boundary setback, for Lot 2 required by variance to 15 feet in lieu of the required 35 feet, with separate building to extend portion and being in excess of 11 feet, 6 inches.
4. Present tract boundary setback, for Lot 7 required by variance to 15 feet in lieu of the required 35 feet, with separate building to extend portion and being in excess of 11 feet, 6 inches.

88-390-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 22nd day of March, 1988.

James W. Musser and Albert C. Jones
Petitioner's Attorney

Robert H. Harris
Deputy Zoning Commissioner

Received by: *James E. Dyer*
Chairman, Zoning Plans Advisory Committee

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
484-3333

J. Robert Harris
Zoning Commissioner

February 8, 1988

Mr. Buck Jones
Charm City Homes
800 Main Street
Ellicott City, Maryland 21043

RE: Petition for Zoning Variance
Case number: 88-390-A
SM/S Pine Grove Ave., 286' & 365' NW of Philadelphia Road
14th Election District - 7th Councilmanic District
Petitioner(s): James Musser, et al

Dear Mr. Jones:

By way of Inter Office Correspondence from Chairman Volz, dated January 27, 1988, this office is in receipt of your January 20, 1988 letter requesting hearing of the above matter be moved one month forward.

For the reasons outlined in your request, Commissioner Barnes instructed that the matter be moved to the earliest possible date.

Our file reflects that notification of the March 31st hearing date was mailed on January 26, 1988. Therefore, as you did not have notification of the scheduled hearing date before you made your request, I am uncertain the exact nature of the "one month forward" request. However, being that the legal requirements with regard to proper posting and advertising, I must look for a date subsequent to February 29, 1988, the first available of a date on March 14, 1988, enclosed you will find a new Notice of Hearing indicating same.

Pursuant to the time frames outlined in your letter, I trust that we have met your request, giving you time to complete the process in a hope that your clients will matter no hardship.

Very truly yours,

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Dale T. Volz, Chairman
County Council

FROM: J. Robert Haines,
Zoning Commissioner

SUBJECT: Variance Hearing, 88-390-A/Charm City Homes

Date: _____

Thank you for your memo of January 25, 1988, relative to the hearing referenced above, originally scheduled for Thursday, March 31, 1988 at 9:00 a.m.

Please be advised that I have moved Mr. Jones' hearing to Monday, March 14, 1988 at 11:00 a.m. Sufficient time is needed to allow for the advertising and posting process.

Please advise my office if we can be of further assistance.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 14th
Posted for: Variance
Petitioner: James Musser, et al
Location of property: SW/S Pine Grove Ave., 286' & 365' NW of Philadelphia Road
Location of Sign: 14th Election District - 7th Councilmanic District
Remarks: 88-390-A
Posted by: J. Robert Haines
Number of Signs: 2

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
Case number: 88-390-A
SW/S Pine Grove Ave., 286' & 365' NW of Philadelphia Road
14th Election District - 7th Councilmanic District
Petitioner(s): James Musser, et al
HEARING SCHEDULED: MONDAY, MARCH 14, 1988 at 11:00 a.m.

Variance to permit a window to tract boundary setback of 15 feet in lieu of the required 35 feet for lots 2 and 7.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County



Dennis F. Rasmussen
County Executive

BALTIMORE COUNTY, MARYLAND

Inter-office Correspondence

To: Bob Haines, Zoning Commissioner
County Council

From: Dale T. Volz, Chairman
County Council

Subject: Variance Hearing - 88-390, March 21, 1988
Charm City Homes

Date: January 25, 1988

I am forwarding the attached letter you for your consideration. Mr. Jones of Charm City Homes is requesting an earlier date for a variance hearing for lot #2 of the Roswell Ridge development in Roundale.

I would appreciate any assistance you could provide Mr. Jones in this matter.

Please advise my office of your decision.

Thank you.

DTH:me
Attachment

January 20, 1988

Dear Bob Haines,

RE: Charm City Homes
(Variance case #88390)

We are asking for the date of our hearing to be moved forward for the following reason:

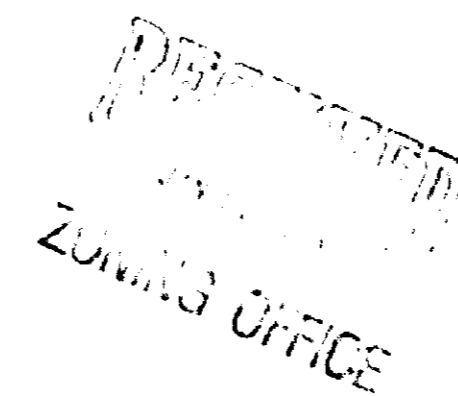
We asked for variance's on lot 2 & lot 7. Lot 2 was sold to two elderly women. These women being anxious to move into their new home decided to put their existing home up for sale in the paper on 1-3-88. They received a contract on their house that weekend. In less than 120 days they will have their existing house sold and have no where to live. If we could atleast gain a month on this variance hearing there would be 60 days left to build their home. If not these elderly women (in their 60's) would have to move all of their belongings into storage and rent a place for a month. I hope you can and will do something for these women.

Thanking you in advance!

Buck Jones

Buck Jones
Charm City Homes

sh



CERTIFICATE OF PUBLICATION

TOWSON, MD., Feb. 25, 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on Feb. 25, 1988.

THE JEFFERSONIAN,

Publisher

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
Case number: 88-390-A
SW/S Pine Grove Ave., 286' & 365' NW of Philadelphia Road
14th Election District - 7th Councilmanic District
Petitioner(s): James Musser, et al
HEARING SCHEDULED: MONDAY, MARCH 14, 1988 at 11:00 a.m.

Variance to permit a window to tract boundary setback of 15 feet in lieu of the required 35 feet for lots 2 and 7.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 47415

RECEIVED FROM: _____
FOR: _____
AMOUNT: \$ _____
VALIDATION OR SIGNATURE OF CASHIER: _____

permit may be issued within one year, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.



Dennis F. Rasmussen
County Executive

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
Case number: 88-390-A
SW/S Pine Grove Ave., 286' & 365' NW of Philadelphia Road
14th Election District - 7th Councilmanic District
Petitioner(s): James Musser, et al
HEARING SCHEDULED: THURSDAY, MARCH 31, 1988 at 9:00 a.m.

Variance to permit a window to tract boundary setback of 15 feet in lieu of the required 35 feet for lots 2 and 7.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County



Dennis F. Rasmussen
County Executive

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

Date: 3-10-88

James Musser, et al
Charm City Homes
800 Main Street
Elliott City, Maryland 21043

Re: Petition for Zoning Variance
Case number: 88-390-A
SW/S Pine Grove Ave., 286' & 365' NW of Philadelphia Road
14th Election District - 7th Councilmanic District
Petitioner(s): James Musser, et al
HEARING SCHEDULED: THURSDAY, MARCH 31, 1988 at 9:00 a.m.

Gentlemen:

Please be advised that a fee is due for advertising and posting of the above-referenced property. All advertising and posting fees must be paid prior to the hearing. Do not remove the sign(s) from the property from the time it posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED
ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and forward to the Zoning Office, County Office Building, Room 113, Towson, Maryland 21204.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 50272

DATE: 3-14-88 ACCOUNT: 104-92

AMOUNT: \$ 104.92

RECEIVED FROM: J. Robert Haines

FOR: J. Robert Haines

VALIDATION OR SIGNATURE OF CASHIER: _____

CERTIFICATE OF PUBLICATION
Office of
THE AVENUE NEWS

442 Easton Blvd.
Baltimore, Md 21221

Feb. 25, 1988

THIS IS TO CERTIFY, that the annexed advertisement of
RECAP #1798 TO ADVERTISE ZONING HEARINGS
CASE # 88-390-A, was published in the 26th day of Feb. 1988,
OF PHILADELPHIA RD. 14th E.D. 7th COUNCILMAN DISTRICT
PETITIONER(S) JAMES MUSSEY, ET AL HEARING SCHEDULED:
8:00 A.M. MARCH 14, 1988
at 11:00 A.M. at \$46.20

was inserted in **The Avenue News** a weekly newspaper
published in Baltimore County, Maryland once a week for
successive week(s) before the 26th day of Feb. 1988,
that is to say, the same was inserted in the issues of 2/25/ 1988

The Avenue Inc.

per publisher

David Fields

Baltimore County
Fire Department
Towson, Maryland 21204-2536
494-4500

Paul H. Reincke

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Re: Property Owner: James Mussey and Albert C. Jones

Location: SW/S Pine Grove Avenue, 286' and 365' NW Philadelphia Road

Item No.: 237

Zoning Agenda: Meeting of 1/12/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of 100 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____
EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *John F. O'Neill*
Planning Group
Special Inspection Division

Noted and
Approved: *John F. O'Neill*
Fire Prevention Bureau

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. J. Robert Haines
Zoning Commissioner
FROM: Mr. P. David Fields, Director
Office of Planning and Zoning
SUBJECT: Zoning Petition #88-390-A

Date: February 25, 1988

RECEIVED
MAR 1 1988
ZONING OFFICE

The plan, subject to zoning, was approved by the CRD on April 2, 1987. This office is not opposed to the granting of the variance requested for lot #2. We believe, however, that the variance should be denied for lot #7 because of proximity to the flood plain.

P. David Fields
Office of Planning and Zoning

PDF/jat
cc: Shirley Hess, People's Counsel
Zoning Office
J. G. Hoswell

CPS-008

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
March 9, 1988

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. James Mussey
Mr. Albert C. Jones
Charm City Homes
800 Main Street
Ellicott City, MD 21043

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

RE: Item No. 237 - Case No. 88-390-A
Petitioners: James A. Mussey and
Albert C. Jones
Petition for Zoning Variance

Dear Messrs. Mussey & Jones:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman

Zoning Plans Advisory Committee

JED:cer

Enclosures



Maryland Department of Transportation
State Highway Administration

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

January 13, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Attention: Mr. James Dyer

Re: ZAC Meeting of 1-12-88
Roswell Ridge
ITEM: #217
Property Owner: James
Mussey & Albert C. Jones
Location: SW/S Pine
Grove Avenue, 286' and
365' NW Philadelphia Rd.
Maryland Route 7
Existing Zoning: D.M.
S.5
Proposed Zoning:
Variance to permit
a window to tract
boundary setback of
15 feet in lieu of
the required 35 feet
for lots 2 and 7.
Area: 0.3182 acre
District: 14th
Election District

Dear Mr. Haines:

After reviewing the submittal of 12-29-87 for Roswell Ridge, the State Highway Administration - Bureau of Engineering Access Permits finds the site plan generally acceptable with no direct access to Philadelphia Road.

If you have any questions, please contact Larry Brocato of this office.

Very truly yours,

Gregory J. Mills, Jr.
Gregory J. Mills, Jr.
Acting Chief
Bureau of Engineering
Access Permits

LB:maw

cc: Mr. J. Ogle

My telephone number is (301) 333-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0651 D.C. Metro - 1-800-482-5082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-8334

February 18, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 236, 237, 238 and 239.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF/pml-b

PROTESTANT(S) EXHIBIT (2)

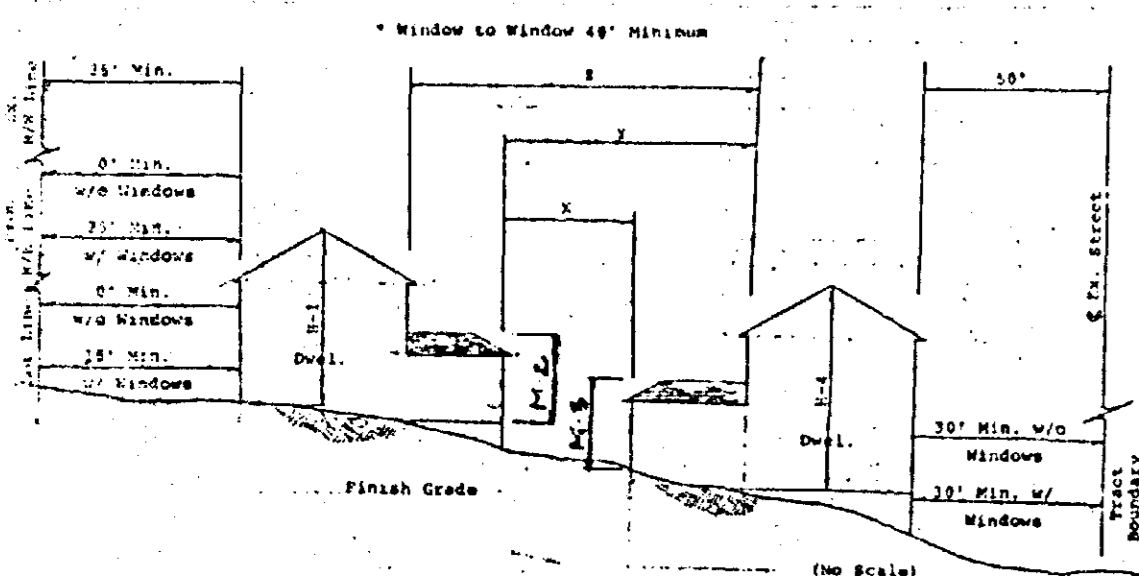


PROTESTANT(S) EXHIBIT (2)



Notwithstanding the diagram of average building height in Section V.B.3 of the C.M.D.P., and to be consistent with policy IM-6 or A-13, the following policy is adopted for all applications of the Height Distance Factor V.B.3 in the C.M.D.P.

- All building heights will be determined by the Application of policy IM-6 or A-13.
- The lesser height portions or facing elevations (H2-H3) must meet the minimum required separation for distance (X), and the greater height portions (H1 - H4) must meet the minimum required separation for distance (Z).
- If two different height elevations face each other as shown in distance (X). The greater height (H4) will determine the required separation.



- For height less than 20', distance = 16' minimum.
- For height of 20' - 25', distance = 25' minimum.
- For height of 25' - 30', distance = 30' minimum.

NOTE: Townhouses in transition

Maximum height = 35' Maximum width = 130'
Maximum length = 130'

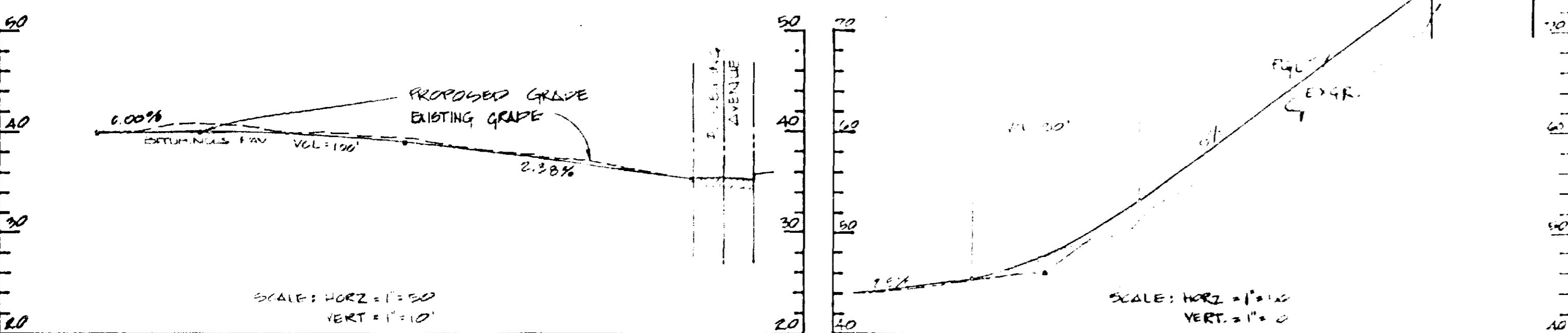
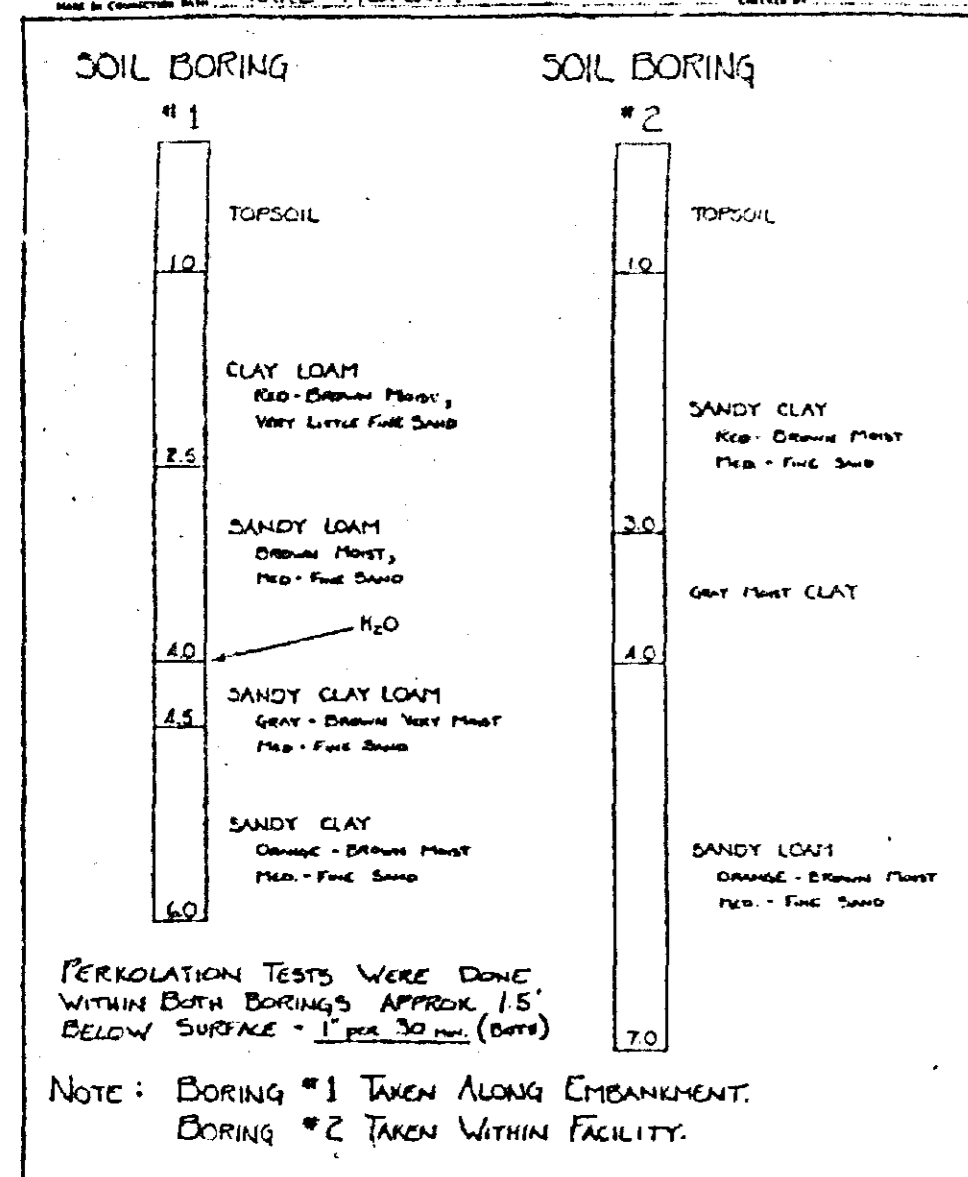
Distance between buildings = 1 1/2 x height of the higher building height = 20'

Average distance between buildings = 30' Minimum

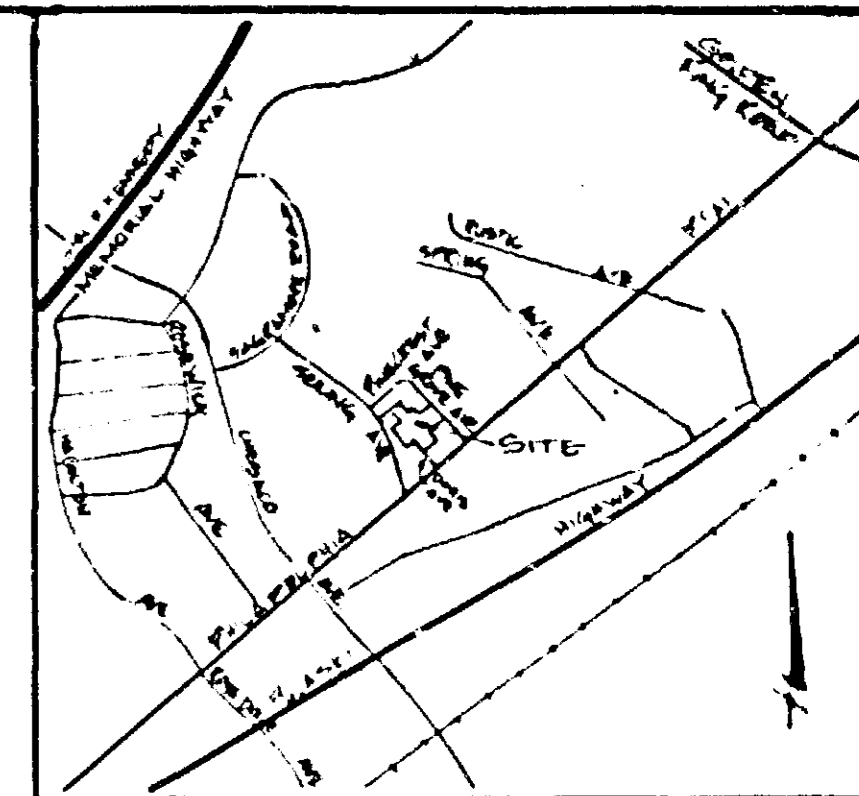
Envelopes to be shown on development plans

Minimum distance from buildings to floodplain 20'

WRS WILLIAM R. SUDECK & ASSOCIATES, INC.
Consulting Engineers & Land Surveyors
112 South Main Street • Bel Air, Maryland 21014
301-879-4353 301-838-5833



LEGEND	
EXISTING	
EXISTING CURB & GUTTER	
EXISTING BUILDING	
EXISTING CONTOURS	
EXISTING TREE LINE	
EXIST. SANITARY LINE	
EXIST. STORM DRAIN	
EXIST. WATER LINE	
EXIST. ELECTRIC LINE	
EXIST. GAS LINE	
PROPOSED	
PROPOSED CURB & GUTTER	
PROPOSED BUILDING	
PROPOSED CONTOURS	
PROPOSED SANITARY LINE	
PROPOSED STORM DRAIN	
PROPOSED WATER LINE	
PROPOSED GAS LINE	



GENERAL NOTES
SITE DATA

- Application: Hill Climbers Development Corporation, 112 South Main Street, Bel Air, MD 21014, 301-879-4353
- Owner: Hill Climbers Development Corporation, 112 South Main Street, Bel Air, MD 21014, 301-879-4353
- Engineer: William R. Sudeck & Associates, Inc., 112 South Main Street, Bel Air, MD 21014, 301-879-4353
- Surveyor: William R. Sudeck & Associates, Inc., 112 South Main Street, Bel Air, MD 21014, 301-879-4353
- Planner: William R. Sudeck & Associates, Inc., 112 South Main Street, Bel Air, MD 21014, 301-879-4353
- Architect: Hill Climbers Development Corporation, 112 South Main Street, Bel Air, MD 21014, 301-879-4353
- Contractor: Hill Climbers Development Corporation, 112 South Main Street, Bel Air, MD 21014, 301-879-4353
- Other: Hill Climbers Development Corporation, 112 South Main Street, Bel Air, MD 21014, 301-879-4353

PROTESTANT

PUBLIC SERVICES
ORD. NO. 07060
PLANNING NO. 1

C. R. G. PLAN
KARL PROPERTY
PINE GROVE AVENUE

BALTIMORE COUNTY, MARYLAND
ELECTION DISTRICT 14
DATE: MARCH 1, 1987

OWNER / DEVELOPER
HILL CLIMBERS DEVELOPMENT CO
8000 MAIN STREET
ELLCOTT CITY, MARYLAND 21043
301-481-5375